

APPENDIX A

FORM FOR REPORT OF PARTIES' PLANNING MEETING PURSUANT TO
FED. R. CIV. P. 26(f), FED. R. BANKR. P. 7026 AND LOCAL RULE 7016-1(b)

[INSERT CAPTION STATED IN LOCAL RULE 9004-1(a)]

Form 35. Report of Parties' Planning Meeting Pursuant to Fed. R. Civ. P. 26(f)

Insert Caption Stated in Local Rule 9004-1(a)

1. ~~Parties' Planing Meeting~~ 1. Pursuant to Fed. R. Civ. P. 26(f), ~~Fed. R. Bankr. P. 7026~~

~~and Local Rule 7016-1~~, a meeting was held on ____ (date) ____ at ____ (place) ____ and was

attended by: ____ (name) for plaintiff(s) ____ (party name)

____ (name) for defendant(s) ____ (party name)

____ (name) for defendant(s) ____ (party name)

a. [Separately list attorneys representing plaintiff(s) and defendant(s), and pro se parties, and their addresses.]

2. Initial Disclosure. The parties have discussed the nature and basis of their claims and defenses. The parties [have exchanged or will exchange by date] the information required by Fed. R. Civ. P. 26(a) and Fed. R. Bankr. P. 7026.

2. Pre-Discovery Disclosures. The parties [have exchanged][will exchange] by ____ (date) ____ the information required by Fed. R. Civ. P. 26(a)(1) and Local Rule 7016-1.

3. **Discovery Plan.** The parties jointly propose to the court the following discovery plan:

—— [Use separate paragraphs or subparagraphs as necessary if ~~the~~ parties disagree.]

a. Discovery ~~is necessary~~ will be needed on the following subjects: ~~[Briefly describe the subject areas in~~ (brief description of subjects on which discovery will be needed] ____.

b. ~~All discovery will be completed by no later than [specify date]~~ Disclosure or discovery

of electronically stored information should be handled as follows:

(brief description of parties' proposals).

~~c. [Specify whether discovery will (i) be conducted in phases, or (ii) be limited to or focused upon particular issues. If (ii), specify those issues and whether discovery will be accelerated with regard to any of them and the date(s) on which such early discovery will be completed.]~~

c. The parties have agreed to an order regarding claims of privilege or of protection as trial-preparation material asserted after production, as follows: (brief description of provisions of proposed order).

~~d. The following discovery methods will be used: _____ Interrogatories _____ Requests for Admission [For both of the above, specify the maximum number that will be served on any party by any other party and the number of days, following service, when responses are due] _____ Oral Exam Depositions _____ Written Questions Depositions [For both of the above, (i) specify the maximum number for the plaintiff(s) and the defendant(s) and (ii) indicate the maximum number of hours unless extended by agreement of the parties.]~~

d. All discovery commenced in time to be completed by (date) . [Discovery on (issue for early discovery)to be completed by (date) .]

e. Maximum of _____ interrogatories by each party to any other party-. [Responses due _____ days after service.]

f. Maximum of _____ requests for admission by each party to any other party. [Responses due _____ days after service.]

g. Maximum of depositions by plaintiff(s) and by defendant(s).

h. Each deposition [other than of] limited to maximum of hours unless
extended by agreement of parties.

~~_____e~~ i. Reports from retained experts under Fed. R. Civ. P. Rule 26(a)(2) and Fed. R.
Bankr. P. 7026 will be submitted on: [specify date] by plaintiff(s); [specify date] by
defendant(s). due:

from plaintiff(s) by (date)

from defendant(s) by (date)

~~_____f.~~ Supplementations under Fed. R. Civ. P. Rule 26(e) and Fed. R. Bankr. P. 7026
are due: [specify (time(s) or interval(s))].

4. ~~_____Other Items.~~

~~_____~~ [Use separate ~~paragraphs/subparagraphs~~ paragraphs or subparagraphs as necessary if ~~the~~
parties disagree.]

~~_____a. the parties request a final pretrial conference in [specify month and year].~~

a. The parties [request] [do not request] a conference with the court before entry of the
scheduling order.

b. The cutoff dates for joining additional parties are [specify date] for plaintiff(s);
[specify date] for defendant(s) The parties request a pretrial conference in: (month
and year).

c. ~~The cutoff dates for amending pleadings are: [specify date] for plaintiff(s); [specify
date] for defendant(s)~~ Plaintiff(s) should be allowed until (date) to join additional
parties and until (date) to amend the pleadings

d. ~~The cutoff date for filing dispositive or potentially dispositive motions is: [specify date]~~ Defendant(s) should be allowed until (date) to join additional parties and until (date) to amend the pleadings.

e. ~~The potential for settlement is: ____ likely ____ unlikely ____ cannot be evaluated prior to: [specify date]~~ All potentially dispositive motions should be filed by (date)

f. ~~Final lists of witnesses and exhibits pursuant to Fed. R. Civ. P. 26(a)(3) and Fed. R. Bankr. P. 7026 are due by: [specify date] from plaintiff(s); [specify date] from defendant(s).~~ Settlement [is likely] [is unlikely] [cannot be evaluated prior to (date)] [may be enhanced by use of the following alternative dispute resolution procedure: []].

g. ~~The parties should have [insert number] days ____ days after service of final lists of witnesses and exhibits to list objections under Fed. R. Civ. P. Rule 26(a)(3) and Fed. R. Bankr. P. 7026.~~ Final lists of witnesses and exhibits under Rule 26(a)(3) should be due from plaintiff(s) by (date) from defendant(s) by (date)

h. ~~This case should be ready for trial by: [specify date]~~ Parties should have ____ days after service of final list objections under Rule 26(a)(3).

i. ~~The estimated length of the trial is: [specify time]~~ This case should be ready for trial by: ____ date [and is expected to take approximately ____ (length of time) ____].

j. ~~The parties [request/do not request] an expedited trial pursuant to the provisions of Local Rule 7016-1(d)~~

5. [Other matters.]

Dated this ____ day of _____, 200_.Date: _____

[insert typewritten name of Attorney for Plaintiff(s)][insert
typewritten address and telephone number of Attorney for
Plaintiff(s)]

[insert typewritten name of Attorney for Defendant(s)]
[insert typewritten address and telephone number of
Attorney for Defendant(s)]